

REMARKS

The present invention relates to solar modules comprising at least one solar cell, a front side composed of a transparent polyurethane and a rear side and to a process for the production of such solar modules.

Claims 1-3 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Vaverka et al (U.S. Patent 5,667,595). Applicants continue to traverse this rejection.

Vaverka et al was discussed and distinguished over the claimed invention in Applicants' previous response. This discussion will not be repeated. Rather, Applicants will address the specific points raised by the Examiner in the Office Action of May 28, 2004.

It is stated in the Office Action that Applicants' argument regarding the front side of the Vaverka et al solar module is not persuasive because "side" may also be defined as "the right or left part of the wall or trunk of the body" or "place, space, or direction with respect to a center or to a line of division (as of an aisle, river, or street)."

It is well established that the terms in claims are best construed in light of the specification. See, e.g., Envirotech Corp. v Al George, Inc. et al, 221 U.S. P.Q. 473 (CAFC 1984).

Applicants submit that the other "definitions" for "side" referred to in the Office Action would not include the embodiments of Applicants' invention illustrated in Figures 1, 2 and 3 and do not therefore provide proper support for the rejection of the claimed invention.

More specifically, it is readily apparent from each of the embodiments of the invention illustrated in Figures 1, 2 and 3 that the transparent polyurethane 1 is shown on both the right and left sides of the solar module. Only when "side" is defined as the "face" or "surface" of the solar module are the modules illustrated in Figures 1, 2 and 3 within the scope of Applicants' claims.

Further, Applicants' use of "front side" is consistent with the meaning of "front plate" in the Vaverka et al reference. If the "front side" of Applicants' claimed module were the right or left part of that module, the right side or left side of the front plate of the Vaverka et al module would still have a glass surface where Applicants'

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module requires a transparent polyurethane. Therefore, even this construction of the prior art would not anticipate or render obvious Applicants' claimed invention.

It was indicated in the Office Action that the polyurethane resin used to fill the hollow space between the solar cells of Vaverka et al is the same as Applicants' "front side" of transparent polyurethane. Applicants respectfully disagree.

Even if the polyurethane resin of Vaverka et al were considered a "side", that polyurethane resin would be between two solar cells or one of the plate surfaces or a plate and an adhesive strip along the plate edge. It would not be the "front side" as required in Applicants' claimed invention.

The teachings of Vaverka et al can not therefore be construed in any manner which would teach a solar module having the front transparent polyurethane surface required in Applicants' claimed invention.

Withdrawal of this rejection is therefore requested.

Claims 4-6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Vaverka et al (U.S. Patent 5,667,595) as applied to Claim 1 above and further in view of Shiomi et al (U.S. Patent 6,245,987). Applicants continue to traverse this rejection.

The Vaverka et al and Shiomi et al references were discussed and distinguished over the claimed invention in Applicants' previous response. This discussion will not be repeated. Rather, Applicants will address the specific points raised in the Office Action of May 28, 2004.

It was noted in the Office Action that Shiomi et al was cited solely as teaching an opaque polyurethane rear side of a solar module.

As has already been discussed, Vaverka et al does not teach or suggest a solar module having the transparent polyurethane front side of Applicants' invention. Combination of Shiomi et al's teaching with respect to the rear side of a solar module with the teachings of Vaverka et al can not therefore lead one skilled in the art to solar cell modules having a front side composed of transparent polyurethane.

The combined teachings of Vaverka et al and Shiomi et al do not therefore support the rejection of Applicants' claimed invention which requires a front side composed of transparent polyurethane.

Withdrawal of this rejection is therefore requested.

Claims 7-8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Vaverka et al (U.S. Patent 5,667,595) as applied to Claim 1. Applicants continue to traverse this rejection.


As has already been discussed, Vaverka et al does not disclose or suggest a solar module having a front side composed of transparent polyurethane as is required in the present invention.

The teachings of Vaverka et al can not therefore be construed in any manner which would render obvious Applicants' invention requiring a transparent polyurethane front side.

Withdrawal of this rejection is therefore requested.

In view of the above remarks, reconsideration and allowance of Claims 1-8 are respectfully requested.

Respectfully submitted,

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